

As stated in the response to the non-final Office Action mailed on April 20, 2005 (hereinafter “non-final Office Action”), Winters describes a multicolor organic light-emitting device 160 that generates white light in an organic EL medium that passes through a multicolor filter array to produce a full color display. See Fig. 3 and col. 17, lines 48-55. While the multicolor organic light-emitting device 160 is capable of generating a full color display, it is not capable of generating both a full color display and a monochrome display in the same device, as recited in claim 1.

The Examiner refers to col. 3, lines 40-66 of Winters in support of the contention that Winters also discloses a device capable of generating a monochrome display. While this cited section provides information related to monochrome displays (i.e., that for a monochrome display, there is no distinction between a pixel or a subpixel), it does not provide any specific device structure for generating a monochrome display, much less a single device structure capable of generating both a full color display and a monochrome display using white color light emission, as claimed. On the contrary, Winters is entirely focused on device structures for generating multi-color displays, not monochrome displays.

Notably, in the Final Office Action, the Examiner fails to respond to applicants’ assertion that Winters does not describe or suggest the recited light emitting device that uses white color light emission to generate a full color display and to also generate a monochrome display in the same device. Instead, the Examiner reiterates the same contentions set forth in the non-final Office Action.

Additionally, as stated in the response to the non-final Office Action, Winters does not describe or suggest use of excimer light emission at all, much less use of excimer light emission to generate white color light emission, as claimed. Rather, Winters, at col. 4, lines 7-18, simply introduces the concept of white light emission, without any mention whatsoever of excimer light emission.

In the Response to Arguments section of the Final Office Action, the Examiner responded as follows to applicants’ assertion that Winters does not describe or suggest the recited light emitting device that generates excimer light emission from an organic metal complex so as to generate white color light emission:

Applicant argues that Winters et al. is entirely silent as to the use of excimer light emission. However, Winters et al. disclose all limitations in the independence claim 1. Although, Winters et al. do not specifically state that the organic metal complex generates excimer white light emission. However, since Winter et al. discloses the claimed structure, it is clear that such a structure results in the generating the excimer light emission and is thus an inherent feature of the claimed semiconductor device.

(Final Office Action, page 5). Applicants respectfully submit that the Examiner has not provided sufficient rationale, in accordance with MPEP §2112, to show that Winters inherently discloses the recited light emitting device having an organic metal complex that generates excimer light emission, as claimed. “In relying upon a theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original).

Instead of providing the required basis in fact or technical reasoning, the Examiner conclusively states that Winters discloses “the claimed structure” and, therefore, discloses the recited excimer light emission. The Examiner’s reasoning entirely neglects that the feature “wherein the light emitting element … generates … excimer light emission from the organic metal complex” is *part of the claimed structure* in that it indicates that the organic metal complex in the semiconductor device is of the type that emits excimer light. The Examiner provides no reasoning or support to indicate that the material of Winters that the Examiner equates with the recited organic metal complex inherently emits excimer light, much less that Winters describes or suggests a semiconductor device having a light emitting layer that includes an organic metal complex that emits excimer light so as to generate white color light emission, as claimed.

As stated in the response to the non-final Office Action, Hadley does not remedy the failure of Winters to describe or suggest the recited light emitting device that includes both white light emission that generates a full color display and white light emission that generates a monochrome display in a single device. Moreover, Hadley, like Winters, is also entirely silent as to the use of excimer light emission.

Notably, in the Final Office Action, the Examiner fails to respond to applicants’ assertions that Hadley does not describe or suggest: (1) the recited light emitting device that uses white color light emission to generate a full color display and to also generate a monochrome display in the same device; and (2) the recited light emitting device that generates excimer light

emission from an organic metal complex so as to generate white color light emission. Instead, the Examiner reiterates the same contentions set forth in the non-final Office Action.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 1 and its dependent claims 3, 5, 7 and 9.

Claim 2 recites a light emitting device having a pixel portion that includes “a light emitting element comprising: a first transparent electrode; a second transparent electrode; and a layer between the first and second transparent electrodes, the layer comprising a first light emitting layer ..., a color filter; *a first polarizing plate*; and *a second polarizing plate*, wherein the light emitting element simultaneously generates blue color light, phosphorescence from the organic metal complex, and *excimer light emission* from the organic metal complex so as to generate white color light emission, wherein *white color light emission* passing through the first transparent electrode *generates a full color display* by the color filter and the first polarizing plate, and wherein *white color light emission* passing through the second transparent electrode generates a *monochrome display* by the second polarizing plate.” (emphasis added). For at least the same reasons described above with respect to claim 1, applicants request reconsideration and withdrawal of the rejection of claim 2, and its dependent claims, because neither Winters, Hadley, nor any combination of the two describes or suggests the recited light emitting device that uses white color light emission to generate both a full color display and a monochrome display, or generates excimer light emission from an organic metal complex so as to generate white color light emission.

As stated in the response to the non-final Office Action, applicants also request reconsideration and withdrawal of the rejection of claim 2, and its dependent claims, because neither Winters, Hadley, nor any combination of the two describes or suggests the recited light emitting device that includes a light emitting layer, a first polarizing plate, and a second polarizing plate. As stated by the Examiner on p.4 of the Final Office Action, Winters does not describe or suggest the recited first and second polarizing plates. The Examiner refers to Hadley to disclose this feature.

Hadley, however, discloses the use of polarizing plates for liquid crystal displays (LCDs), which do not include layers that emit light, rather than for organic light emitting diode (OLED)

displays, which include a light emitting layer such as is recited in claim 2.¹ Accordingly, Hadley neither describes nor suggests the recited layer that includes a light emitting layer, a first polarizing plate, and a second polarizing plate.

Notably, in the Final Office Action, the Examiner fails to respond to applicants' assertion that Hadley does not describe or suggest the recited layer that includes a light emitting layer, a first polarizing plate, and a second polarizing plate. Instead, the Examiner reiterates the same contentions set forth in the non-final Office Action.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 2, and its dependent claims 4, 6, 8, 10 and 11.

Claim 12 recites a light emitting device having a pixel portion that includes "a light emitting element comprising: a first transparent electrode; a second transparent electrode; and a layer between the first and second transparent electrodes, the layer comprising a first light emitting layer ..., *a first color filter ...; and a second color filter ...*, wherein the light emitting element simultaneously generates blue color light, phosphorescence from an organic metal complex, and *excimer light emission* from the organic metal complex so as to generate white color light emission, wherein *white color light emission* passing through the first transparent electrode generates a *full color display* by the first color filter, and wherein *white color light emission* passing through the second transparent electrode generates a *monochrome display* by the second color filter." (emphasis added). For at least the same reasons described above with respect to claim 1, applicants request reconsideration and withdrawal of the rejection of claim 12 because neither Winters, Hadley, nor any combination of the two describes or suggests the recited light emitting device that uses white color light emission to generate both a full color display and a monochrome display or generates excimer light emission from an organic metal complex so as to generate white color light emission.

As stated in the response to the non-final Office Action, applicants also request reconsideration and withdrawal of the rejection of claim 12 because neither Winters, Hadley, nor

¹ The portion of Hadley cited by the Examiner specifically refers to polarization plates being used for an LCD device rather than for an OLED device: "In particular, flat-panel displays employing LCDs generally include five different components or layers: a White or sequential Red, Green, Blue light source, a first polarizing filter, that is mounted to one side of a circuit panel on which the TFTs are arrayed to form pixels, a filter plate containing at least three primary colors arranged into pixels, and a second polarizing filter."

any combination of the two describes or suggests the recited light emitting device including a light emitting layer, a first color filter, and a second color filter. The Examiner equates transparent optical layer 111 with the recited second color filter. Transparent optical layer 111, however, is not a color filter; rather, it is simply a transparent layer. Winters neither describes nor suggests that transparent optical layer 111 filters color. Hadley does not remedy the failure of Winters to disclose the recited light emitting device including a first color filter and a second color filter.

Notably, in the Final Office Action, the Examiner fails to respond to applicants' assertion that neither Winters, Hadley, nor any combination of the two describes or suggests recited light emitting device including a light emitting layer, a first color filter, and a second color filter. Instead, the Examiner reiterates the same contentions set forth in the non-final Office Action.

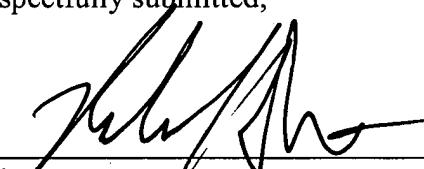
For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 12.

Applicants submit that all claims are in condition for allowance.

No fees are believed to be due. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 2/14/06



Roberto J. Devoto
Reg. No. 55,108

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331